

Introduced by Senator Jackson
(Principal coauthor: Assembly Member Bonilla)

February 21, 2014

An act to add Section 221.9 to the Education Code, relating to school athletics.

LEGISLATIVE COUNSEL'S DIGEST

SB 1349, as introduced, Jackson. School athletics: information relating to competitive athletics.

(1) Existing law, known as the Sex Equity in Education Act, declares that it is the policy of the state that elementary and secondary school classes and courses, including nonacademic and elective classes and courses, be conducted without regard to the sex of the pupil enrolled in those classes and courses. The act also prohibits public funds from being used in connection with any athletic program conducted under the auspices of a school district governing board or any student organization within the district that does not provide equal opportunity to both sexes for participation and for use of facilities.

This bill would express legislative findings and declarations relating to the participation of girls and women in competitive athletics. The bill would require, commencing with the 2015–16 school year and every 2 years thereafter, each public elementary and secondary school in the state that has pupils who participate in competitive athletics, as defined, to report specified data to its school district governing board. The bill would also require school district governing boards to cause this information to be posted on the school district's Internet Web site. Because this bill would impose new duties on schools and school districts, it would constitute a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Female pupils receive substantial benefits from participating
4 in athletics, including physical benefits, psychological and
5 emotional health benefits, learning responsible social behavior,
6 and achieving greater academic success. The achievements of
7 women in athletics is demonstrated by their performances in the
8 Olympic Games, women's professional sports leagues, and other
9 national and international women's sporting events that receive
10 public attention.

11 (b) In 1912, only 2 percent of Olympic athletes were women;
12 in 2012, 44 percent of Olympians were women.

13 (c) Between 1972 and 2011, the number of girls competing in
14 high school sports jumped from under 295,000 to nearly 3,200,000.
15 But girls' opportunities still have not reached the level that boys
16 were at back when Title IX of the Education Amendments of 1972
17 to the 1964 Civil Rights Act was enacted.

18 (d) There are more women playing collegiate sports—about
19 200,000—than ever before. The number of female athletes at
20 National Collegiate Athletic Association (NCAA) schools has
21 increased from less than 30,000 to over 193,000 since 1972, but
22 women still have over 60,000 fewer participation opportunities
23 than their male counterparts.

24 (e) Despite the fact that millions of women and girls are
25 competing, they are unlikely to see athletic role models of their
26 own gender in the media. Researchers from the University of
27 California and Purdue University completed a 20-year study of
28 sports coverage that shows the short shrift that women's sports

1 receives compared to men's on network news and ESPN
2 SportsCenter: in 2009, women's sports got only 1.6 percent of the
3 airtime, down from 6.3 percent in 2004.

4 (f) Unfortunately, Title IX has not managed to extend the social
5 and health benefits of sports to all girls equally. In 2008, a national
6 survey of pupils in grades 3 to 12, inclusive, by the Women's
7 Sports Foundation found that 75 percent of Caucasian girls play
8 sports, compared to less than two-thirds of African American and
9 Hispanic girls, and about one-half of Asian girls. And, while boys
10 from immigrant families are well represented in youth sports, less
11 than one-half of the girls from those families are playing.

12 (g) The gender gap is also worse in urban schools and among
13 kids from low-income families. These disparities in youth sports
14 persist at the collegiate level. African American women are
15 underrepresented in all sports except for Division I basketball and
16 track and field, and Latinas make up just 4 percent of the female
17 athletes in the NCAA.

18 SEC. 2. Section 221.9 is added to the Education Code, to read:

19 221.9. (a) Commencing with the 2015–16 school year and
20 every two years thereafter, each public elementary and secondary
21 school in the state that has pupils who participate in competitive
22 athletics shall report to its school district governing board all of
23 the following information:

24 (1) The total enrollment of the school, classified by gender.

25 (2) The number of pupils enrolled at the school who participate
26 in competitive athletics, classified by gender.

27 (3) The number of boys' and girls' teams, classified by sport
28 and by competition level.

29 (4) The names, genders, job titles, and employment status,
30 including, but not limited to, full-time, part-time, contract, or
31 volunteer, and the amount of compensation or stipend, if any, for
32 all of the following: the school's athletic director or equivalent,
33 and each coach and other athletic staff, including trainers and team
34 managers.

35 (5) The coach-to-athlete ratio for each team.

36 (6) For schools maintaining any of grades 9 to 12, inclusive, all
37 of the following:

38 (A) An accounting of the funding sources that are used to
39 support the school's athletics programs and the programs to which
40 those funds are allocated, including, but not necessarily limited

1 to, state and federal funding, fundraising or booster clubs, game
2 admission and concession receipts, cash or in-kind donations, and
3 grants.

4 (B) Any capital outlay expenditure made for any athletic
5 program.

6 (C) Expenditures for each athletic program, including, but not
7 necessarily limited to, travel expenses including transportation,
8 meal allowances and overnight accommodations, equipment,
9 uniforms, facilities, improvements to facilities, publicity expenses,
10 awards, banquets, and insurance.

11 (D) A statement of benefits and services provided to each
12 athletic program, including, but not necessarily limited to,
13 replacement schedules for uniforms, practice and game schedules,
14 locker rooms, weight rooms, and practice, competitive, and training
15 facilities.

16 (b) The school district governing board shall cause the
17 information submitted by each school pursuant to subdivision (a)
18 to be made publicly available by being posted on the Internet Web
19 site of each school district.

20 (c) The materials used by each school to compile the information
21 submitted pursuant to subdivision (a) shall be retained at the school
22 for at least three years after the information is posted on the Internet
23 pursuant to subdivision (b).

24 (d) As used in this section, “competitive athletics” includes, but
25 is not necessarily limited to, interscholastic and intramural athletics.

26 SEC. 3. If the Commission on State Mandates determines that
27 this act contains costs mandated by the state, reimbursement to
28 local agencies and school districts for those costs shall be made
29 pursuant to Part 7 (commencing with Section 17500) of Division
30 4 of Title 2 of the Government Code.